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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,620	09/27/2001	Rajeev Grover	10011083 -1	4790

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EXAMINER	
GILLIS, BRIAN J	

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/966,620	GROVER ET AL.	
	Examiner	Art Unit	
	Brian Gillis	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-23 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because the abstract is in excess of 150 words. Correction is required. See MPEP § 608.01(b).

Claim Objections

3. Claims 21-23 are objected to because of the following informalities: Claims 21-23 are dependent on claim 18, which recites of a claim of a network. The examiner interprets this as a typographical error and should be dependent on claim 19. For examination purpose the examiner assumes dependency on claim 19. Please notify the examiner if this is incorrect. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3, 5-11, and 15-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Philippou et al (U.S. Patent #6,385,648).

6. The claimed invention reads on Philippou as follows: (Claims 1, 15, 16, and 19 disclose) a method for configuring a first parameter to a first device, comprising the steps of: providing a network communication channel connected to the first device and to a configuring machine (In Figure 2, Philippou et al shows a box and a configuring box connected together through a network.); from the configuring machine, sending the first parameter and a device's identifier to the communication channel (Philippou et al shows that an initialization message is broadcast by the configuration utility with a unique identifier (column 5, 48-50).); acquiring the first parameter upon identifying the device's identifier on the communication channel; and configuring the first parameter to the first device (Philippou et al continues by showing the initialization message being received by the correct device and continues to configure information to the first device (column 5, 50-60).); wherein the first device provides administrative capabilities to a second device (Philippou et al also discloses that the first device will interface with external systems or boxes in turn providing administrative capabilities to, tools managing a, and providing interactions between a second and a third device to a second device (column 3, 43-50)).

7. Claims 2, 18, and 21 disclose the method of claim 1 wherein the first device is selected from a group consisting of: a device being part of a second device; and a device providing console capabilities to the second device. Philippou et al discloses a network interface, which is part of and can be embedded in the first device and can provide console capabilities to the first device (column 3, 43-50).

8. Claim 3 discloses the method of claim 2 wherein the step of sending comprising the steps of: sending the first parameter to a table in the configuring machine; and obtaining the first parameter from the table. Philippou et al shows in Figure 4, a table, which holds the information for the network it, has configured and sends information from this table to the devices.

9. Claims 5, 17, and 20 disclose the device's identifier is a media access control of the first device. Philippou et al discloses a unique identifier which includes a serial number (column 3, 16-18). It is widely known that the media access control address is a unique device identifier.

10. Claim 6 discloses the method wherein the first device performing the step of acquiring the first parameter. In Philippou et al, they speak of the network interface communicating with external systems and boxes (column 3, 48-50).

11. Claim 7 discloses the method wherein the step of acquiring comprises the steps of: the second device obtaining the first parameter, and acquiring the first parameter from the second device. In Philippou et al they state that the computer system may include the network interface as part of the system, which would allow the second

device to obtain, the first parameter and the first device acquire the first parameter from the second device (column 3, 49-53).

12. Claim 8 discloses the method wherein the first device is part of the second device. Philippou et al also states that network interfaces may be considered part of the computer system, which is the second device (column 3, 49-53).

13. Claim 9 discloses the method wherein the first device communicates with the second device via an interconnect selected from a group consisting an input output interconnect, a peripheral component interconnect bus, an industry standard architecture bus, an extended industry standard architecture bus, an infini band, and a personal computer memory card international association standard. Figure 3 of Philippou et al discloses the second device being part of a bus which is widely known to consist of an input-output interconnect, a peripheral component interconnect bus, and industry standard architecture bus, an extended industry architecture bus, an infini band and a personal computer memory card international association standard.

14. Claim 10 discloses a method wherein the device identifier is selected from a group consisting of an internet protocol address of the second device, a media access control address of the second device, and an asynchronous transfer mode address if the second device. This is disclosed in Philippou et al that the unique identifier includes a serial number of the box, which is the second device (column 3, 16-18). It is widely known that the three options are well known unique identifiers.

15. Claim 11 discloses the method of claim 1 further comprising the step of inhibiting future configurations to the first device until the first device is in an un-configured state.

In Figure 5, Philippou et al shows that at the end of the initialization procedure the procedure will end until the device is in an un-configured state.

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

17. Claims 4, 12, 13, 14, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Philippou et al (U.S. Patent #6,385,648) in view of Ylonen (U.S. Patent #6,782,474).

18. Claim 4 discloses the method of claim 3 wherein: the first parameter is an internet protocol address; an address resolution protocol command sending the internet protocol address to the table; and a packet internet groper protocol command obtaining the internet protocol address from the table. In claim 4 Philippou et al teaches of the limitations of claim 1, 2 and 3 as recited above (figure 2 and 4, column 3, 43-50, and column 5, 48-60). It fails to teach of a packet containing a parameter and a command. Ylonen teaches of a packet with a parameter and commands (column 7, 20-29).

19. Philippou et al and Ylonen are analogous art because they are both related to network configurations.

20. At the time of the invention it would have been obvious to a person of ordinary skill in the art to use Ylonen configuration packet structure and adapt it to work with the method of configuring a first device as taught by Philippou et al. The

suggestion/motivation for doing so would have been in order to achieve a fast and effective way to send configuration data over the network to the unconfigured device.

21. Claims 12 and 22 disclose the method of claim 1 further comprising the step of configuring a second parameter to the first device, the second parameter being sent with the first parameter in a packet. In claim 12 Philippou et al teaches all the limitations of the claim 1 as recited above (figure 2, column 3, 43-50, and column 5, 48-60). It fails to teach configuring a second parameter to the first device and having the second parameter sent with the first parameter in a packet. Ylonen teaches a configuration packet containing various parameters such as the device's IP address, netmask, default gateway, the management station's IP address, and device identifier (column 7, 20-29).

22. Philippou et al and Ylonen are analogous art because they are both related to network configurations.

23. At the time of the invention it would have been obvious to a person of ordinary skill in the art to use Ylonen's teaching of having multiple parameters sent in the packet and adapt it to work with the method of configuring a first device as taught by Philippou et al. The suggestion/motivation for doing so would have been to provide information to the device that is being configured to be able to validate that the data being sent is for the correct machine and is coming from the correct management station. This would provide a more efficient way to configure remote devices with less user interaction.

24. Claim 13 and 23 disclose the method of claim 1 further comprising the step of sending a command with the first parameter in a packet, the command being executed in the first device. Philippou et al teach all of the limitations of claim 1 as recited above

and also having the first device execute instructions (figure 2, column 3, 43-50, and column 5, 48-60). It fails to teach sending a command with the first parameter in a packet. Ylonen teaches of a configuration packet, which will typically contain the new device's device identifier, the device's IP address, netmask, default gateway, and the management station's IP address and device identifier and/or public key. It may also contain information for setting up verification of the packet from the correct management station (column 7, 20-29).

25. Philippou et al and Ylonen are analogous art because they are both related to network configurations.

26. At the time of the invention it would have been obvious to a person of ordinary skill in the art to use Ylonen's teaching of including the public key in the configuration packet and adapt it to work with the method of configuring a first device as taught by Philippou et al. The suggestion/motivation for doing so would have been to provide a method to the device that is being configured to be able to validate that the data being sent is for the correct machine and is coming from the correct management station. It would also allow the unconfigured device to configure itself with the data provided. This would provide a more efficient way to configure remote devices with less user interaction.

27. Claim 14 discloses the method of claim 1 wherein the step of acquiring comprises the step of checking whether the first parameter is valid. Philippou et al teaches all of the limitation of claim 1 as recited above (figure 2, column 3, 43-50, and column 5, 48-60). If fails to teach of a step of checking whether the first parameter is

valid. Ylonen teaches a method to authenticate the parameter that was sent from the management station. Each system will send its public key to the other and the new device will computer the transmitting system's device identifier from the public key and any other data provided. The new device then compares the computed value with the known device identifier of the correct management station (column 7, 45-55).

28. Philippou et al and Ylonen are analogous art because they are both related to network configurations.

29. At the time of the invention it would have been obvious to a person of ordinary skill in the art to use Ylonen's authentication method and adapt it to work with the method of configuring a first device as taught by Philippou et al. The suggestion/motivation for doing so would have been to provide a method to the device that is being configured to be able to validate that the data being sent is for the correct machine and is coming from the correct management station. This would provide a more efficient and secure way to configure remote devices with less user interaction

Conclusion

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cochran et al (US PGPUB US2002/0161867) discloses a system and method for remote discovery and configuration of a network device. Engel et al (US PGPUB US2002/0198969) discloses a method for configuring networking devices under control of a configuration server. Reichmeyer et al. (US Patent #6,286,038) discloses a method and apparatus for remotely configuring a network device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Gillis whose telephone number is 571-272-7952. The examiner can normally be reached on M-F 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brian Gillis
Examiner
Art Unit 2141

BJG

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